

App. Ser. No.: 10/632,676  
Atty. Doc. No.: D02993

REMARKS

In the Final Office Action mailed on September 1, 2005, the Examiner rejected claims 1-2 and 4-25 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Publication 2003/0223466 to Noronha et al. in view of U.S. Patent Publication 2003/0030720 to Hutchings.

In response, Applicant has amended independent claims 1, 4 and 21 and cancelled claims 11-20 and 23-28. No new matter has been added.

Pending claims 1-10, 21 and 22 are distinguishable over the combination of Noronha et al. and Hutchings. The Examiner relies on Noronha et al. for teaching scheduling transmission of the timing critical data. This limitation has been amended to include using information embedded into the timing critical data to schedule the transmission. This feature is not taught by Noronha et al. in the cited paragraphs 0080 and 0081. In fact, Noronha et al. teach keeping track of the packets based upon time of receipt of the packets. See first sentence of paragraph 0081. In a system that receives packets out of time order (e.g., packets associated with video frame 2 arrive at the receiver before packets associated with video frame 1), Noronha et al. will not be able to reorder those packets to transmit the packets from video frame 1 before the packet from video frame 2. Thus the combination of Hutchings and Noronha et al. is different from the invention presently claimed.

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CONCLUSION

No fees are believed due for this amendment. However, the Office is authorized to charge any additional fees or underpayments of fees (including fees for petitions for extensions of time) under 37 C.F.R. 1.16 and 1.17 to account number 502117. Any overpayments should be credited to the same account.

Applicant respectfully requests reconsideration of this application and the issuance of a Notice of Allowance. If the Examiner has any questions, he may reach Applicant's representative below.

Respectfully submitted,

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